

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

MICHAEL D. JOHNSON,

Petitioner,

v.

RANDY HARDING,

Respondent.

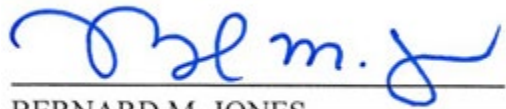
Case No. CIV-24-355-J

ORDER

Petitioner, a state prisoner appearing pro se, filed a Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254. [Doc. No. 1]. The matter was referred to United States Magistrate Judge Amanda Maxfield Green for initial proceedings consistent with 28 U.S.C. § 636. [Doc. No. 3]. On July 2, 2024, Judge Green issued a Report and Recommendation recommending that the Petition for Writ of Habeas Corpus be dismissed with prejudice as time-barred. *See* [Doc. No. 10]. Petitioner was advised of his right to object to the Report and Recommendation by July 23, 2024. No objection has been filed. Petitioner has therefore waived any right to appellate review of the factual and legal issues in the Report and Recommendation. *See Casanova v. Ulibarri*, 595 F.3d 1120, 1123 (10th Cir. 2010).

Accordingly, the Court ADOPTS the Report and Recommendation [Doc. No. 10] and DISMISSES Petitioner's Petition for a Writ of Habeas Corpus with prejudice as time-barred. Additionally, a certificate of appealability is DENIED, as the Court concludes Petitioner has not made "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c).

IT IS SO ORDERED this 5th day of August, 2024.


BERNARD M. JONES
UNITED STATES DISTRICT JUDGE